

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

To:
DOUGLAS E DENNINGER
TYCO HEALTHCARE GROUP LP
10 GLOVER AVENUE
NORWALK, CONNECTICUT 06850

NOTIFICATION OF THE INTERNATIONAL APPLICATION NUMBER AND OF THE INTERNATIONAL FILING DATE

(PCT Rule 20.5(c))

Date of mailing (day/month/year) 05 Sep 2003	
Applicant's or agent's file reference 2854 PCT	IMPORTANT NOTIFICATION
International application No. PCT/US03/22900	International filing date (day/month/year) 23 Jul 2003
Priority date (day/month/year) 25 Jul 2002	
Applicant SHERWOOD SERVICES AG	
Title of the invention ELECTROSURGICAL PENCIL WITH DRAG SENSING CAPABILITY	

1. The applicant is hereby notified that the international application has been accorded the international application number and the international filing date indicated above.

2. The applicant is further notified that the record copy of the international application:

- 05 Sep 2003
- ☒ was transmitted to the International Bureau on _____
- ☐ has not yet been transmitted to the International Bureau for the reason indicated below and a copy of this notification has been sent to the International Bureau*:
- ☐ because the necessary national security clearance has not yet been obtained.
- ☐ because (reason to be specified): _____

* The International Bureau monitors the transmittal of the record copy by the receiving Office and will notify the applicant (with Form PCT/TB/301) of its receipt. Should the record copy not have been received by the expiration of 14 months from the priority date, the International Bureau will notify the applicant (Rule 22.1(c)).

3. FOREIGN TRANSMITTAL LICENSE INFORMATION

Completed by: BF

- ☐ Additional license for foreign transmittal not required. This subject matter is covered by a license already granted or the equivalent U.S. national application. Refer to that license for information concerning its scope.
- ☐ License for foreign transmittal not required. 37 CFR 5.11(e)(1) or 37 CFR 5.11(e)(2). However, a license may be required for additional subject matter. See 37 CFR 5.15(b).
- ☒ Foreign transmittal license granted. 35 U.S.C. 184; 37 CFR 5.11 on 30 Aug 2003 :
(date)
- ☒ 37 CFR 5.15(a) ☐ 37 CFR 5.15(b)

Name and mailing address of the receiving Office
Mail Stop PCT, Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450
Facsimile No. 703-305-3230

Authorized officer
Barbara Fridle
Telephone No. 703-3053747

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

To:

DOUGLAS E DENNINGER
TYCO HEALTHCARE GROUP LP
10 GLOVER AVENUE
NORWALK, CONNECTICUT 06850

INVITATION TO CORRECT DEFECTS IN THE INTERNATIONAL APPLICATION

(PCT Articles 3(4)(i) and 14(1) and Rule 26)

	Date of mailing (day/month/year) 05 Sep 2003
Applicant's or agent's file reference 2854 PCT	REPLY DUE within <u>1</u> months/days from the above date of mailing
International application No. PCT/US03/22900	International filing date (day/month/year) 23 Jul 2003
Applicant SHERWOOD SERVICES AG	

1. ☒ The applicant is hereby invited, within the time limit indicated above, to correct, in the international application as filed, the defects specified on the attached:
- ☒ Annex A
 - ☐ Annex B1 (text matter of the international application as filed)
 - ☒ Annex C1 (drawings of the international application as filed)

2. ☐ The applicant is hereby invited, within the time limit indicated above, to correct, in the translation of the international application furnished under Rule 12.3 or 12.4, the defects specified on the attached:
- ☐ Annex A
 - ☐ Annex B2 (text matter of the translation of the international application)
 - ☐ Annex C2 (drawings of the translation of the international application)

Additional observations (if necessary):

HOW TO CORRECT THE DEFECTS?

Correction must be submitted by filing a replacement sheet embodying the correction and a letter accompanying the replacement sheet, which shall draw attention to the difference between the replaced sheet and the replacement sheet. A correction may be stated in a letter only if it is of such a nature that it can be transferred from the letter to the record copy without adversely affecting the clarity and direct reproducibility of the sheet onto which the correction is to be transferred (Rule 26.4).

ATTENTION

Failure to correct the defects will result in the international application being considered withdrawn by this receiving Office (see Rule 26.5 for further details).

A copy of this invitation and any attachments has been sent to the International Bureau

☒ and the International Searching Authority

Name and mailing address of the receiving Office
Mail Stop PCT, Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450
Facsimile No. 703-305-3230

Authorized officer

Barbara Fridie

Telephone No. 703-3053747

The receiving Office has found the following defects in the international application as filed:

1. As to signature* of the international application (Rules 4.15 and 90.4), the request:
- a. ☐ is not signed
 - b. ☐ is not signed by all the applicants
 - c. ☐ is not accompanied by the statement referred to in the check list in Box No. VIII of the request explaining the lack of the signature of an applicant for the designation of the United States of America
 - d. ☒ is signed by what appears to be an agent/common representative but:
 - ☒ the international application is not accompanied by a power of attorney appointing him
 - ☐ the power of attorney accompanying the international application was not signed by all the applicants
 - e. ☒ other (specify):

SEE ASTERISK BELOW FOR INFORMATION ON SIGNATURES NEEDED

* All applicants must sign, including inventors if they are also applicants (e.g. where the United States of America is designated).

2. As to indications concerning the applicant, the request (Rules 4.4 and 4.5):

- a. ☐ does not properly indicate the applicant's name (specify):
- b. ☐ does not indicate the applicant's address
- c. ☐ does not properly indicate the applicant's address (specify):
- d. ☐ does not indicate the applicant's nationality
- e. ☐ does not indicate the applicant's residence
- f. ☐ other (specify):

3. As to the language of certain elements of the international application, other than the description and claims (Rules 12.1(c) and 26.3ter(a) and (c)):

- a. ☐ the request is not in a language of publication accepted by this receiving Office; (the) language(s) accepted by this receiving Office is/are:
- b. ☐ the text matter of the drawings is not in the language in which the international application is to be published, which is:
- c. ☐ the abstract is not in the language in which the international application is to be published, which is:

4. The title of the invention:

- a. ☐ is not indicated in Box No. I of the request (Rule 4.1(a))
- b. ☐ is not indicated at the top of the first sheet of the description (Rule 5.1(a))
- c. ☐ as appearing in Box No. I of the request is not identical with the title heading the description (Rule 5.1(a))

5. As to the abstract (Rule 8):

- ☐ the international application does not contain an abstract

This receiving Office has found that with regard to the presentation of the drawings of the international application as filed, the physical requirements are not complied with to the extent that compliance therewith is necessary for:

1. ☐ reasonably uniform international publication (Rules 11 and 26.3(a)(i)) (defects to be specified):

Sheets containing drawings:

- a. ☐ the sheets do not admit of direct reproduction
- b. ☐ the sheets are not free from creases, cracks, folds
- c. ☐ one side of the sheets is not left unused
- d. ☐ the paper of the sheets is not flexible/strong/white/smooth/non-shiny/durable
- e. ☐ the drawings do not commence on a new sheet
- f. ☐ the sheets are not connected as prescribed (Rule 11.4(b))
- g. ☐ the sheets are not A4 size (29.7cm x 21cm)
- h. ☒ the minimum margins on the sheets are not as prescribed (top: 2.5cm; left side: 2.5cm; right side: 1.5cm; bottom: 1cm)
- i. ☐ the file reference number indicated on the sheets does not appear in the left-hand corner of the sheets, within 1.5 cm of the top of the sheets
- j. ☐ the file reference number exceeds the maximum of 12 characters
- k. ☐ the sheets are not free from frames around usable or used surfaces
- l. ☒ the sheets are not numbered in consecutive Arabic numerals (e.g. 1/3, 2/3, 3/3) **A 11**
- m. ☐ the sheet numbers are not centered at the top or bottom of the sheets
- n. ☐ the sheet numbers are in the margin (see h. above for the size of the margins)
- o. ☐ the sheets contain alterations/overwritings/interlineations/too many erasures
- p. ☐ the sheets contain photocopy marks

Drawings (Rule 11.13):

- a. ☐ do not admit of direct reproduction
- b. ☐ contain unnecessary text matter
- c. ☐ contain words so placed as to prevent translation without interference with lines thereof
- d. ☒ are not executed in durable black color; the lines are not uniformly thick and well-defined **Rough**
- e. ☐ contain cross-sections not properly hatched
- f. ☐ would not be properly distinguishable in reduced reproduction
- g. ☐ contain scales not represented graphically
- h. ☒ contain numbers, letters and reference lines lacking simplicity and clarity **POOR**
- i. ☐ contain lines drafted without the aid of drafting instruments
- j. ☐ contain disproportionate elements of a figure not necessary for clarity
- k. ☐ contain numbers and letters of height less than 0.32 cm
- l. ☐ contain letters not conforming to the Latin, and where customary, Greek alphabets
- m. ☐ contain figures on two or more sheets which form a single complete figure but which are not able to be assembled without concealing parts thereof
- n. ☐ contain figures which are not properly arranged and clearly separated
- o. ☐ contain different figures not numbered in consecutive Arabic numerals
- p. ☐ contain different figures not numbered independently of the numbering of the sheets
- q. ☐ are not restricted to reference signs mentioned in the description
- r. ☐ do not contain reference signs that are mentioned in the description
- s. ☐ contain the same feature denoted by different reference signs
- t. ☐ are not arranged in an upright position, clearly separated from one another
- u. ☐ are not presented sideways with the top of the figures at the left side of the sheets

2. ☐ satisfactory reproduction (Rules 11 and 26.3(b)(i))

Further observations (if necessary):

NEW FIGURES REQUIRED

TO: DOUGLAS E DENNINGER TYCO HEALTHCARE GROUP 10 GLOVER AVENUE NORWALK, CONNECTICUT 06850	UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO) NOTIFICATION OF STATUS OF REQUIREMENTS UNDER 35 U.S.C. 371
	DATE OF MAILING (day/month/year) 05 Sep 2003
	FILE REFERENCE 2854 PCT
IDENTIFICATION OF INTERNATIONAL APPLICATION	
International application No. PCT/US03/22900	International filing date (day/month/year) 23 Jul 2003
Priority Date Claimed 25 Jul 2002	
Applicant for DO/EO/US <div style="text-align: center;">BUCHMAN, THOMAS L</div>	
NOTIFICATION	
The applicant is hereby advised that the U.S. Patent and Trademark Office in its capacity as <input checked="" type="checkbox"/> Designated Office <input type="checkbox"/> Elected Office has received following items as of the date of mailing indicated above.	
1. <input type="checkbox"/> U.S. Nation fee [35 U.S.C 371 (c) (1)] 2. <input type="checkbox"/> Oath of declaration [35 U.S.C 371 (c) (4)] 3. <input checked="" type="checkbox"/> Copy of International application as [35 U.S.C 371 (c) (2)] 4. <input type="checkbox"/> Translation of Application [35 U.S.C 371 (c) (2)] 5. <input type="checkbox"/> Amendments under PCT Article 19 [35 U.S.C 371 (c) (3)] 6. <input type="checkbox"/> Translation of PCT Article 19 Amendments [35 U.S.C 371 (c) (3)] 7. <input type="checkbox"/> Search Report or Declaration under PCT Article 17(2) [35 U.S.C 371 (a)] 8. <input type="checkbox"/> International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3)(b) [35 U.S.C 371 (a)] 9. <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report under PCT Article 36(3)(b) [35 U.S.C 371 (c) (5)] 10. <input type="checkbox"/> Other items received:	
<div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> Assignment Document <input type="checkbox"/> Prior Art Statement <input type="checkbox"/> Preliminary Amendment </div>	
A. <input type="checkbox"/> Requirements for U.S. National processing have been met. Processing will commence	
<div style="margin-left: 20px;"> <input type="checkbox"/> at the expiration of the applicable time limit under either <div style="margin-left: 20px;"> <input type="checkbox"/> PCT Article 22 [35 U.S.C 371 (b)] or <input type="checkbox"/> PCT Article 39 [35 U.S.C 371 (b)] </div> <input type="checkbox"/> on the date indicated below under the provisions of 35 U.S.C 371 (f) </div>	
U.S. NATIONAL SERIAL#	DATE UNDER 35 U.S.C. 102(e)
DATE OF COMMENCEMENT OF NATIONAL PROCESSING	
<i>All correspondence submitted after the date of commencement of U.S. National processing indicated above should refer to the U.S. National Serial Number and the appropriate U.S. National processing organization of Officer.</i>	
B. <input type="checkbox"/> As the above identified application has been accepted for U.S. National processing under the provision of 35 U.S.C. 371 (f) before expiration of the applicable time limit under <input type="checkbox"/> PCT Article 22 <input type="checkbox"/> PCT Article 39, applicant is reminded that	
<div style="margin-left: 20px;"> <input type="checkbox"/> Amendments under PCT Article 19 and/or <input type="checkbox"/> the International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3) (a), and (b) and any translation thereof, if applicable, must be submitted to the Patent and Trademark Office as soon as they are available. </div>	

International application No. PCT/US03/22900	International filing date 23 Jul 2003	Priority Date Claimed 25 Jul 2002
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C. ☒ In order that U.S. National processing may begin, certain items must be received by the DO/EO/US by the expiration of applicable time limit under

☒ PCT Article 22 or

☒ PCT Article 39.

Specifically:

- ☒ 1. U.S. National Fee
- ☒ 2. Oath or Declaration
- ☐ 3. Copy of Application
- ☐ 4. Translation of application
- ☒ 5. Amendments under PCT Article 19, if any
- ☐ 6. Translation of PCT Article 19 Amendments, if applicable
- ☐ 7. Search Report or PCT Article 17(2) declaration
- ☐ 8. International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3)(a), if applicable
- ☐ 9. Translation of Annexes to the International Preliminary Examination Report under PCT Article 36(3)(b), if applicable

**THE ABOVE CHECK ITEMS MUST BE TIMELY RECEIVED TO AVOID ABANDONMENT OF THE APPLICATION.
[35. U.S.C. 371(d)]**

D. Further information for the applicant:

This is only a reminder.


UNITED STATES DESIGNATED/ELECTED OFFICE

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P.O. Box 1450, Alexandria, VA 22313-1450

Authorized Officer

Barbara Fridie

703-3053747



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